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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/596,759

06/23/2006

Theodorus Franciscus Overes

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08/18/2010

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

SEMBER, THOMAS M

ART UNIT

PAPER NUMBER

2885

MAIL DATE

DELIVERY MODE

08/18/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/596,759	Applicant(s) OVERES ET AL.	
	Examiner Thomas M. Sember	Art Unit 2885	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

In view of the appeal brief filed on 03/01/10, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Jong-Suk (James) Lee/

Supervisory Patent Examiner, Art Unit 2885

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akashi et al '297 in view of (Hulse et al '952, Herold '777 or Yamamoto et al '275). Akashi et al '297 discloses the claimed invention except for the teaching of the type of illumination unit being used. Akashi et al '297 discloses a display apparatus (2, 10, 107) with a display unit, having means for background lighting (1, 9a, 9b) at a side or the back of the display apparatus to produce a back light pattern (for example, see column 2, lines 32-36, column 12, lines 5-10, column 17, lines 20-24, column 22, line 60 - column 23, line 12, column 24, lines 34-46, column 31, line 51- column 33, line 5 but also see entire disclosure); characterized in that the means for background lighting comprise two illumination units (1, 9a, 9b, 109) being provided at the right-hand and left-hand of the display apparatus (see figures 1, 4, 8, 11, 12a, 12b, 13 and 23), said illumination units being formed as substantially vertically positioned illumination units (9a, 9b) comprising means for coupling out light 23, further characterized in that the light units are rotatable along a longitudinal axis (column 22, line 60 - column 23, line 12 and column 31, line 51- column 33, line 5 and figure 13 rotation directions 20a, 20b and 20c) to thereby allow adjustment of the back light pattern (for example, see column 2, lines 32-36, column 12, lines 5-10, column 17, lines 20-24, column 22, line 60 -column 23, line 12, column 24, lines 34-46, column 31, line 51- column 33, line 5) .

Hulse et al '952 teaches an illumination unit which includes a longitudinal light guide (10, 200) with at least one light source positioned at an end of the light guide (multiple colored LEDs 243-244, 254, 256, see column 8, line 55 - column 9, lines 1-40, positioned at both ends of the light guide 10, 200).

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Herold '777 teaches an illumination unit which includes a longitudinal light guide (10, 12) with at least one light source positioned at an end of the light guide (multiple colored LEDs 52, see column 3, lines 16-50 positioned at both ends of the light guide 10, 12).

Yamamoto et al '275 teaches an illumination unit which includes a longitudinal light guide 1 with at least one light source positioned at an end of the light guide (multiple colored LEDs 2, 21, see #88).

It would have been obvious to one skilled in the art at the time the invention was made to substitute the illumination light guide units of (Hulse et al '952, Herold '777 or Yamamoto et al '275) for the illumination units of Akashi et al '297 in order to provide an alternative illumination unit which efficiently illuminates a desired object or area.

Regarding claims 7 and 11, the means for coupling out light are formed as a structure provided on the surface of the light guide (10, 100 of Hulse et al; 10,12 of Herold; or 1 of Yamamoto et al '275).

Regarding claims 8 and 13, the display apparatus comprises means for controlling the color of the backlight that the light guides are provided on both ends with a light source, said light source comprising a red, a green and a blue LED (see column 7, lines 37-59, column 22, line 60 -column 23, line 12 , column 29, line 24 and column 33, line 52 of Akashi et al '297; see column 8, line 55—column 9, lines 1-40 of Hulse et al '952; see column 3, lines 16-50 of Herold '777; and see #88 of Yamamoto et al '275.)

Regarding claims 9 and 14, the display apparatus comprises a control circuit for controlling the colour of each of the light sources in dependence of a colour of a part of

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the display screen which is close to the light source (see column 7, lines 37-59, column 12, lines 5-10,, column 22, line 60 -column 23, line 12 , column 29, line 24 and column 33, line 52 of Akashi et al '297; see column 8, line 55 - column 9, lines 1-40 of Hulse et al '952; see column 3, lines 16-50 of Herold '777; and see #88 of Yamamoto et al '275.)

Regarding claim 10, the means for background lighting produces a back light pattern on a wall (for example, see column 2, lines 32-36, column 12, lines 5-10, column 17, lines 20-24, column 22, line 60 -column 23, line 12, column 24, lines 34-46, column 31, line 51- column 33, line 5).

Regarding claim 12, that the illumination units comprising light guides are rotatable along a longitudinal axis (see Akashi et al '297, column 22, line 60 - column 23, line 12 and column 31, line 51- column 33, line 5 and figure 13 rotation directions 20a, 20b and 20c).

Response to Arguments

Applicant's arguments with respect to claims 6-14 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Sember whose telephone number is 571-272-2381. The examiner can normally be reached on M-F 9 a.m.- 5.30 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jong Suk (James) Lee can be reached on 571-272-7044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thomas M Sember
Primary Examiner
Art Unit 2885

/Thomas M Sember/
Primary Examiner, Art Unit 2885